

The **Board of Examiners for Nursing** held a meeting on August 19, 2009 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut

BOARD MEMBERS PRESENT: Patricia Bouffard, RN, Chair
Mary M. Brown, RN
Amanda Campbell, RN
Veronica Kivela, Public Member
Jennifer Long, APRN
Katherine Pellerin, RN
Maria Pietrantuono, RN
Donna Roberts, LPN
Ivelisse Varrone, Public Member

BOARD MEMBERS ABSENT: Heidi Darling, LPN

ALSO PRESENT: Rose McGovern, Assistant Attorney General
Henry Salton, Assistant Attorney General
Jennifer Filippone, Section Chief, OPLC, DPH
Donna Brewer, Section Chief, PHHO, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Bonnie Pinkerton, Nurse Consultant, DPH
Pam Pelletier, Nurse Consultant, DPH
Alfreda Gaither, Staff Attorney, Public Health Hearing Office, DPH
Olinda Morales, Staff Attorney, Public Health Hearing Office, DPH
Joelle Newton, Staff Attorney, Legal Office, DPH
Stacy Owens, Staff Attorney, Public Health Hearing Office, DPH
Leslie Scoville, Staff Attorney, Legal Office, DPH
Ellen M. Shanley, Staff Attorney, Legal Office, DPH
Diane Wilan, Staff Attorney, Legal Office, DPH
Joanne V. Yandow, Staff Attorney, Public Health Hearing Office, DPH
Kristina Kerwin, DPH Law Intern
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:33 AM.

STUDENTS

Chair Bouffard welcomed students from the University of Hartford and Suffolk University Law School.

MINUTES

JUNE 3, 2009

Katherine Pellerin moved and Mary Brown seconded that the minutes be approved as edited. The motion passed with all in favor with one abstention, Ivelisse Varrone.

JUNE 17, 2009

Maria Pietrantuono moved and Donna Roberts seconded that the minutes be approved as edited. The motion passed with all in favor with one abstention, Ivelisse Varrone.

JULY 15, 2009

Katherine Pellerin moved and Donna Roberts seconded that the minutes be approved as written. The motion passed with all in favor with two abstentions, Mary Brown and Veronica Kivela.

MEMORANDA OF DECISION

MICHAEL ROSTOCK, RN

Mary Brown moved and Donna Roberts seconded that the Board affirm their prior decision to reinstatement Mr. Rostock's license to probation for four years following the successful completion of a Board approved refresher program and the NCLEX-RN examination. The motion passed with all in favor.

RENEE DEVOE, RN

Katherine Pellerin moved and Ivelisse Varrone seconded that the Board affirm their prior decision to revoke Ms. Devoe's license. The motion passed with all in favor.

PATRICIA HALL, LPN

Maria Pietrantuono moved and Ivelisse Varrone seconded that the Board affirm their prior decision to revoke Ms. Hall's license. The motion passed with all in favor.

JOHN GINNETTI, RN

Katherine Pellerin moved and Jennifer Long seconded that the Board affirm their prior decision to revoke Mr. Ginnetti's license. The motion passed with all in favor.

SUSANNE HOLLY, RN

Donna Roberts moved and Amanda Campbell seconded that the Board affirm their prior decision to reinstatement Ms. Holly's license to probation for four years after the successful completion of a Board approved RN refresher program. The motion passed with all in favor.

SCHOOL ISSUES – NAUGATUCK VALLEY COMMUNITY COLLEGE - WAIVER REQUEST

Joanne Ottman, Director of Allied Health, Nursing and Physical Education, was present to request a waiver for Patricia O'Brien Winn. Katherine Pellerin moved and Jennifer Long seconded to extend Ms. O'Brien-Winn's temporary waiver for one year pending receipt of a letter from Southern CT State University stating that Ms. O'Brien-Winn has matriculated into their MSN program along with her date of anticipated graduation. The motion passed unanimously.

SCHOOL ISSUES – WESTERN CT STATE UNIVERSITY – WAIVER REQUEST

WCSU is requesting a waiver for Eileen Campbell. Pamela Pelletier presented the waiver to the Board as there was no representation from WCSU. Mary Brown moved and Amanda Campbell seconded to grant Ms. Brown a one-semester waiver. The motion passed unanimously.

INTERIM CONSENT ORDER – JANET DiGIOVANNI, RN

Legal Office Attorney Joelle Newton presented an Interim Consent Order (ICO) for Janet DiGiovanni which will remain in effect until the petition is resolved. Ms. DiGiovanni was not present and did not have representation at this meeting. Maria Pietrantuono moved and Ivelisse Varrone seconded that the ICO be granted. The motion passed unanimously.

MOTION FOR SUMMARY SUSPENSION – LAURIE WOODSTOCK, RN

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Laurie Woodstock. Ms. Woodstock was present without representation at this meeting. Katherine Pellerin moved and Ivelisse Varrone seconded that the Motion for Summary Suspension be granted. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for September 2, 2009 at 10:00 AM. Ms. Woodstock was hand delivered at this meeting the Notice of Hearing, Statement of Charges, and the Summary Suspension Order.

MOTION FOR SUMMARY SUSPENSION – CAROLE DENNISS, LPN

Legal Office Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Carole Denniss. Ms. Denniss was not present and did not have representation at this meeting. Amanda Campbell moved and Maria Pietrantuono seconded that the Motion for Summary Suspension be granted. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for September 2, 2009 at 10:00 AM.

MOTION FOR SUMMARY SUSPENSION – VICKI MROSEK, RN

Legal Office Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Vicki Mrosek. Ms. Mrosek was not present and did not have representation at this meeting. Donna Roberts moved and Jennifer Long seconded that the Motion for Summary Suspension be granted. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for September 2, 2009 at 10:00 AM.

CONSENT ORDER – DONATA BANKS, LPN

Legal Office Attorney Diane Wilan presented a Consent Order for Donata Banks. Ms. Banks was not present and did not have representation at this meeting. Katherine Pellerin moved and Ivelisse Varrone seconded that the Consent Order be accepted. The motion failed as all were opposed. It was the recommendation of the Board that Ms. Banks complete a course in therapeutic communication skills and an education course in resident rights along with monthly employer reports.

CONSENT ORDER – ERINN BIRNEY, RN

Legal Office Attorney Diane Wilan presented a Consent Order for Erinn Birney. Ms. Birney was not present and did not have representation at this meeting. Mary Brown moved and Maria Pietrantuono seconded that the Consent Order be accepted. The motion passed unanimously. Chair Bouffard signed the Consent Order.

CONSENT ORDER – KATHERINE MEZZI, LPN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Katherine Mezzi. Ms. Mezzi was not present and did not have representation at this meeting. Amanda Campbell moved and Mary Brown seconded that the Consent Order be denied. The motion passed with all in favor. It was the recommendation of the Board that employer reports be provided to DPH every month.

CONSENT ORDER – JESSICA JOHNSON, RN/APRN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Jessica Johnson. Ms. Johnson was present with counsel, Attorney Martha Murray. Katherine Pellerin moved and Donna Roberts seconded that the Consent Order be accepted. The motion passed unanimously. Chair Bouffard signed the Consent Order.

CONSENT ORDER – SARAH BARNEY, LPN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Sarah Barney. Ms. Barney was not present and did not have representation at this meeting. Donna Roberts moved and Mary Brown seconded that the Consent Order be denied. The motion passed with all in favor. It was the recommendation of the Board that the license needs to be restricted.

CONSENT ORDER – LYNDA T. YOUNG, RN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Lynda Young. Ms. Young was not present and did not have representation at this meeting. Mary Brown moved and Amanda Campbell seconded that the Consent Order be accepted. The motion passed unanimously. Chair Bouffard signed the Consent Order.

CONSENT ORDER – BEATRICE BELTRAN, RN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Beatrice Beltran. Ms. Beltran was present with counsel, Attorney Mariella LaRosa. Ivelisse Varrone moved and Maria Pietrantuono seconded that the Consent Order be accepted. The motion passed with all in favor. Chair Bouffard signed the Consent Order.

CONSENT ORDER – KARRIE ELLIS, APRN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Karrie Ellis. Ms. Ellis was not present although she was represented by counsel, Attorney Julie M. Strzeminski. Maria Pietrantuono moved and Katherine Pellerin seconded that the Consent Order be accepted. The motion passed unanimously. Chair Bouffard signed the Consent Order.

CONSENT ORDER – LYNN KUCZENSKI, LPN

Legal Office Attorney Joelle Newton presented the Board with a Consent Order for Lynn Kuczenski. Ms. Kuczenski was present although she did not have representation at this meeting. Mary Brown moved and Jennifer Long seconded that the Consent Order be accepted. The motion passed unanimously. Chair Bouffard signed the Consent Order.

PREHEARING REVIEW – MICHELLE SANDWITH, RN

Legal Office Attorney Joelle Newton presented the Board with a Prehearing Review for Michelle Sandwith. Ms. Sandwith was present with counsel, Attorney Martha Murray. It was the recommendation of the Board to dismiss this case.

PREHEARING REVIEW – ELIZABETH D'AGOSTINO

Legal Office Attorney Joelle Newton presented the Board with a Prehearing Review for Elizabeth D'Agostino. Ms. D'Agostino was present. It was the recommendation of the Board to dismiss this case and that the current Consent Order remain in effect.

MOTION TO WITHDRAW STATEMENT OF CHARGES – RENEE L. JONES, RN

Legal Office Attorney Joelle Newton presented the Board with a Motion to Withdraw Statement or Charges as Ms. Jones has signed a Voluntary Surrender Affidavit. Ms. Jones was not present nor was she represented by counsel at this meeting. Maria Pietrantuono moved and Amanda Campbell seconded to grant the Motion to Withdraw the Statement of Charges. The motion passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES – DAWN SPINNEY, LPN

Legal Office Attorney Leslie Scoville presented the Board with a Motion to Withdraw Statement of Charges as Ms. Spinney has signed a Voluntary Surrender Affidavit. Ms. Spinney was not present nor was she represented by counsel at this meeting. Mary Brown moved and Jennifer Long seconded to grant the Motion to Withdraw the Statement of Charges. The motion passed with all in favor with the exception of Katherine Pellerin who recused herself from this case.

Break 10:00 AM – 10:20 AM

HEARING – MICHELE WHEELER, RN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Wheeler was present pro se. Testimony was provided by Bonnie Pinkerton, RN Nurse Consultant at DPH and by Donald Wheeler, Ms. Wheeler's husband. The hearing concluded.

Maria Pietrantuono moved and Katherine Pellerin seconded that Ms. Wheeler be found as charged as she has admitted to all the charges. The motion passed unanimously.

Maria Pietrantuono moved and Katherine Pellerin seconded that Ms. Wheeler's license remain under the probationary terms of the current Memorandum of Decision with the exception of the urine screens. The Board requested that the urine screens be changed to weekly for the remainder of the Memorandum of Decision. The motion passed unanimously.

Maria Pietrantuono moved and Katherine Pellerin seconded that the Summary Suspension ordered on July 15, 2009 be lifted. The current MOD remains in place until the new MOD is signed. The Board does not feel that Ms. Wheeler poses an immediate danger to the public. The motion passed unanimously.

HEARING – MELANIE MEADE, LPN

Legal Office Attorney Leslie Scoville and Law Intern Kristina Kerwin were present representing the Department of Public Health. Ms. Meade was not present and did not have representation at this meeting. Testimony was provided by Bonnie Pinkerton, RN. The hearing concluded.

Maria Pietrantuono moved and Donna Roberts seconded that Ms. Meade be found as charged. The motion passed unanimously.

Maria Pietrantuono moved and Veronica Kivela seconded that Ms. Meade's license be revoked. The motion passed unanimously.

Lunch recess 12:05 PM to 12:45 PM

REINSTATEMENT HEARING – ROXANNE BOUCHARD, LPN

Legal Office Attorney Joelle Newton was present representing the Department of Public Health. Ms. Bouchard was present pro se. Testimony was provided by Roxanne Bouchard. The hearing concluded.

Mary Brown moved and Amanda Campbell seconded that the Board grant Ms. Bouchard's request for licensure reinstatement. The motion passed with all in favor with the exception of Donna Roberts and Ivelisse Varrone.

Mary Brown moved and Amanda Campbell seconded to place Ms. Bouchard's license on probation for two years after successfully completing a Board approved refresher program. Following the completion of the LPN refresher program, Ms. Bouchard is to provide monthly therapist and employer reports and she is to complete coursework in nursing ethics and boundary issues during the first six months of the probation. The motion passed with all in favor.

REINSTATEMENT HEARING – RICHARD HOULE, RN

Legal Office Attorney Joelle Newton was present representing the Department of Public Health. Mr. Houle was present pro se. Testimony was provided by Petitioner Richard Houle and Gary Barnes.

Mary Brown moved and Maria Pietrantuono seconded to grant Mr. Houle's request for licensure reinstatement. The motion passed with all in favor.

Mary Brown moved and Maria Pietrantuono seconded to place Mr. Houle's license on probation for four years with the normal probationary restrictions. Mr. Houle is to successfully complete a Board approved refresher program and successfully complete the NCLEX-RN at which time he will be available to start the probationary terms. The motion passed with all in favor.

HEARING – HELENA SPENCER, LPN

This is the third hearing for Helena Spencer. Legal Office Attorney Ellen M. Shanley was present representing the Department of Public Health. Ms. Spencer was present with counsel, Attorney Martha Murray. Testimony was provided by Ms. Spencer. Katherine Pellerin left during the hearing at 3:30 PM and Ivelisse Varrone left at 4:00 PM.

The hearing recessed from 4:10 PM to 4:30 PM during which time Assistant Attorney General Henry Salton spoke with the Board regarding support to Boards/Commissions by the Office of the Attorney General. Maria Pietrantuono left at 4:30 PM.

Testimony resumed at 4:30 PM and the hearing concluded at 4:59 PM. The hearing has been rescheduled for September 16, 2009 and will immediately follow the scheduled summary suspension hearings.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 5:00 PM.